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CHAIRMAN

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JIM IRVIN  
COMMISSIONER  
WILLIAM A. MUNDELL  
COMMISSIONER

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IN THE MATTER OF THE JOINT APPLICATION  
BETWEEN CITIZENS UTILITIES COMPANY,  
INC. AND CAP ROCK ENERGY CORPORATION  
FOR THE APPROVAL OF THE SALE OF  
CERTAIN ELECTRIC UTILITY PROPERTIES IN  
ARIZONA AND THE TRANSFER OF THE  
CERTIFICATE OF CONVENIENCE AND  
NECESSITY FROM CITIZENS AND THE  
ARIZONA ELECTRIC DIVISION TO CAP ROCK  
ENERGY.

DOCKET NOS. E-01032A-00-0163  
E-01032B-00-0163  
E-01032C-00-0163  
E-03851A-00-0163

**PROCEDURAL ORDER****BY THE COMMISSION:**

On March 10, 2000, Citizens Utilities Company ("Citizens") and Cap Rock Energy Corporation ("Cap Rock") filed with the Arizona Corporation Commission ("Commission") a joint application for approval of the sale of certain electric utility properties in Arizona and the transfer of the Certificate of Convenience and Necessity ("Certificate") from Citizens and its Arizona Electric Division to Cap Rock. Our May 22, 2000 Procedural Order set the matter for hearing commencing on September 6, 2000. On August 11, 2000, Cap Rock and Citizens filed a request to modify our May 22, 2000 Procedural Order ("Request").

In the Request, Cap Rock and Citizens indicated additional time was needed to respond to various developments and pre-filed testimony of other parties. Cap Rock and Citizens proposed new procedural dates of approximately two months later than the existing dates. Further, Citizens and Cap Rock indicated all parties to the case had been contacted and all consented to the proposed delay.

Based on the above, we find the Request should be granted. Accordingly, we shall modify our May 22, 2000 Procedural Order as follows:

IT IS THEREFORE ORDERED that a hearing shall commence on February 8, 2001 at 10:00 a.m., or as soon thereafter as is practical, at the Commission's offices, 1200 West Washington Street, Phoenix, Arizona 85007.

IT IS FURTHER ORDERED that a pre-hearing conference shall be held on February 1, 2001

1 at 1:30 p.m., at the Commission's office in Phoenix, Arizona for the purpose of discussing the  
2 scheduling of witnesses and the conduct of the hearing.

3 IT IS FURTHER ORDERED that the currently schedule September 6, 2000 hearing date shall  
4 be retained as a public comment hearing.

5 IT IS FURTHER ORDERED that any direct testimony and associated exhibits to be presented  
6 at the hearing on behalf of Cap Rock and Citizens shall be reduced to writing and filed on or before  
7 4:00 p.m. on October 10, 2000.

8 IT IS FURTHER ORDERED that any direct testimony and associated exhibits to be presented  
9 at hearing on behalf of Staff or Intervenors shall be reduced to writing and filed on or before 4:00  
10 p.m. on December 15, 2000.


11 IT IS FURTHER ORDERED that any rebuttal testimony and associated exhibits to be  
12 presented at hearing by Cap Rock and Citizens shall be reduced to writing and filed on or before 4:00  
13 p.m. on January 5, 2001.

14 IT IS FURTHER ORDERED that any surrebuttal testimony and associated exhibits to be  
15 presented by the Staff or Intervenors shall be reduced to writing and filed on or before 4:00 p.m. on  
16 January 26, 2001.

17 IT IS FURTHER ORDERED that any objections to any testimony or exhibits which have  
18 been prefiled as of January 26, 2001 shall be made on or before February 1, 2001.

19 IT IS FURTHER ORDERED that the Presiding Officer may rescind, alter, amend, or waive  
20 any portion of this Procedural Order either by subsequent Procedural Order or by ruling at hearing.

21 DATED this 18<sup>th</sup> day of August, 2000.

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25   
26 JERRY L. RUDIBAUGH  
27 CHIEF ADMINISTRATIVE LAW JUDGE  
28

1 Copies of the foregoing mailed/delivered  
this 18<sup>th</sup> day of August, 2000 to:

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By: 

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